

REMARKS/ARGUMENTS

Claims 1-30 are pending in the application. Claims 1, 15, and 28 were amended.

Claims 1-8, 15-20, and 28-30 are provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-6, 14-19, and 27-30 of copending Application No. 09/967,539. Claims 9-10 and 21-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 7-8 and 20-21 of Application No. 09/967,539. Claims 1-30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-2, 7-8, 15-16, 20-21, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,754,420 to Jensen (“Jensen”).

Claims 3-6, 9-14, 17-19, 22-27, and 29-30 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph and to include all of the limitations of the base claim and any intervening claims.

Double Patenting

Claims 1-8, 15-20, and 28-30 are provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-6, 14-19, and 27-30 of copending Application No. 09/967,539. Claims 9-10 and 21-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 7-8 and 20-21 of Application No. 09/967,539.

A terminal disclaimer is being filed concurrently with this response, which should obviate the need for a double patenting rejection.

Claim Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1-30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 15, and 28 have been amended to more distinctly and clearly define the number 'N' to represent a finite number of allowable non-relevant memory addresses between any two sequential relevant memory addresses. Accordingly reconsideration and withdrawal of the rejection of those claims under 35 U.S.C. §112, second paragraph, is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 1-2, 7-8, 15-16, 20-21, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jensen. Jensen discloses digital filtering sequences of data units, such as sequences of bytes, using parallel application of more than one filter and storing the results of applying all filters to a whole sequence of data units. (*See Abstract*).

Jensen does not disclose detecting a predetermined sequence of relevant data values indicating an event triggering command within a string of data values if the string of data values includes no more than a finite number of non-relevant data values between any two sequential relevant data values, as recited in claims 1, 15, and 28. The relevant cited section of Jensen discloses:

As noted above, however, not all the bytes of a data-sequence may be of interest. Suppose, for example, that only the first and tenth bytes of a data-sequence were of interest while the remaining bytes constituted don't-care quantities. All bytes, except for the first and tenth, may then be "ignored." This may be accomplished in the manner demonstrated in FIG. 10, where bytes #0 and #9 are of interest, while bytes #1 through #8 are to be ignored as don't-care quantities.

(Jensen, Col. 11, Lines 24-33).

In the cited section of Jensen, for a data-sequence of ten bytes, only the first and last byte are relevant. The number of irrelevant bytes between the first and last byte does not determine if the relevant bytes are detected. Thus, detecting a predetermined sequence of relevant data values indicating an event triggering command within a string of data values if the string of data values includes no more than a finite number of non-relevant data values between any two sequential relevant data values is neither taught nor suggested by the Jensen reference. Claims 2, 7-8, 16, and 20-21 depend from claims 1, 15, and 28. Therefore, reconsideration and withdraw of the rejection of claims 1-2, 7-8, 15-16, 20-21, and 28, under 35 U.S.C. § 103(a), is respectfully requested.

For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. **11-0600**.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

Respectfully submitted,

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